

May 21, 2015



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 16351

EXPIRATION DATE: April 30, 2017

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: VSL B.V.
Thijsseweg
The Netherlands

U.S. AGENT: ProQares USA, Inc.
Alexandria, VA

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the transportation in commerce of certain Division 2.1 and 2.2 hazardous materials in non-DOT specification cylinders manufactured to a foreign specification. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.

b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.

c. No party status will be granted to this special permit.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 171.23(a) and § 173.302a in that a non-DOT specification cylinder is not authorized, except as specified herein.

5. BASIS: This special permit is based on the application of VSL B.V. dated December 4, 2014 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Compressed gas, flammable, n.o.s.	2.1	UN1954	N/A
Compressed gas, n.o.s.	2.2	UN1956	N/A
Compressed gas, oxidizing, n.o.s.	2.2	UN3156	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are non-DOT specification seamless aluminum cylinders designed and tested in accordance with 84/526/EEC Directive. The cylinders are manufactured by Luxfer Gas Cylinders Limited. Cylinders must be manufactured from 6061-T6 aluminum alloy and in accordance with the authorized drawings and specifications on file with the Office of Hazardous Materials Safety Approvals and Permits Division. The cylinders have a rated service pressure of 200 bar (2,900 psig), a minimum design test pressure of 1.5 times the service pressure, and a water capacity of 5.0 Liters (305 cu in).

- b. OPERATIONAL CONTROLS -

- (1) The maximum filling pressure in the cylinder at room temperature must not exceed 130 bar (1,885 psig);
- (2) During shipment, the cylinder valve must be protected by a strong metal cap and the outlet connection on the valve must be closed with a metal blind cap;

(3) The cylinders containing compressed gas, oxidizing, n.o.s, are authorized for transportation by aircraft only when placed in rigid outer packaging in accordance with § 173.302(f)(3);

(4) The emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the cylinders are not fitted with pressure relief devices and provide appropriate guidance for exposure to fire;

(5) Filling and requalification of cylinders covered by the terms of this special permit in the United States is prohibited; and

(9) This special permit may not be renewed past June 30, 2021.

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

b. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft or motor vehicle used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: RShafkey